

REMARKS

Claims 1-40 are pending in the application. By this Amendment, claim 1 has been amended to include the subject matter of dependent claim 40 and thereby place the claim in condition for allowance. In addition, claims 23 and 33 have been rewritten in independent form to place those claims in condition for allowance. No new matter has been added.

As an initial matter, Applicant wishes to express sincere appreciation to the Examiner for granting a telephone interview on January 27, 2004. During the interview, the rejection under 35 U.S.C. § 102(b) based on Henkel (European Patent Application Publication No. 0 276 713), among other things, was discussed. The Examiner and Applicant's counsel agreed that the device of Henkel is not configured to be movable from a second position to a first position, as recited in dependent claim 40, and that claim 40 therefore contains allowable subject matter.

Consequently, as mentioned above, Applicant has amended independent claim 1 to include the allowable subject matter of former claim 40, thereby placing claim 1 and the claims depending therefrom in condition for allowance. Thus, claims 1-22, 26-32, and 34-39 should be allowable.

Since claims 3-11, 13, 16, 17, 21-25, and 33 were not subject to any rejections in the final Office Action, Applicant presumes that those claims contain allowable subject matter. Consequently, as mentioned above, Applicant has rewritten dependent claims 23 and 33 in independent form in order to place those claims and any claims depending therefrom in condition for allowance. Thus, claims 23-25 and 33 should be allowable.

The final Office Action contains rejections of claims 1-2, 12, 14, 15, 18-20, 26-32, and 34-40 under 35 U.S.C. §§ 102(b) and 103(a) based on Henkel and Magharehi (U.S.

Patent No. 5,937,866). Applicant does not necessarily agree with these rejections, and notes that they should no longer be applicable due to the fact that all of the claims recite allowable subject matter.

Applicant respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered, placing claims 1-39 in condition for allowance. Applicant submits that the proposed amendments to claims 1, 23, and 33 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since the subject matter recited in those claims has already been considered by the Examiner.

It is respectfully submitted that all of pending claims 1-39 are in condition for allowance. Therefore, timely issuance of a Notice of Allowability is respectfully requested.

The final Office Action contains a number of statements and characterizations regarding the claims and the related art. Applicant declines to subscribe automatically to any statement or characterization in the final Office Action, regardless of whether it is addressed above.

The Examiner is invited to call the undersigned (571-203-2774) if a telephone conversation might advance prosecution of the application. Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

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Respectfully submitted,

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